

WATER/FLC/:jrb

**PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

**WATER DIVISION**

**RESOLUTION NO. W-4546**

**June 30, 2005**

**R E S O L U T I O N**

**(RES. W-4546), COUNTY WATER COMPANY (COUNTY).  
ORDER REVOKING THE CERTIFICATE OF PUBLIC  
CONVENIENCE AND NECESSITY (CPC&N) OF COUNTY.**

---

**SUMMARY**

This Resolution revokes the CPC&N of County because it was taken over by the City of Norwalk in a friendly condemnation proceeding.

**BACKGROUND**

On December 14, 2004 the City of Norwalk, California (Norwalk) filed Case No. BC 325907 before Commissioner Bruce Mitchell of the Superior Court of the State of California, County of Los Angeles (Court). In the Proposed Final Order of Condemnation the Court notes that Norwalk has paid "the total sum awarded by the court as just compensation" for all of the issued and outstanding stock and assets of County. By letter to John Erickson, Jr., President of County Water Company, the State Department of Health Services informed County that its Domestic Water Supply Permit for System No. 19101192 was null and void as of April 19, 2005.

County was certificated as Plunkett Water Company on December 29, 1948 by Decision (D.) 42382. County Water Company acquired Plunkett as authorized by D.90839, September 25, 1979. County's last general rate increase was by Resolution W-4032, March 7, 1997 which authorized a revenue requirement of \$1,006,810 and a rate of return of 11.25%

The company filed its 2004 annual report.

County served approximately 2,663 customers in the cities of Norwalk, Artesia, Bellflower, Paramount and Cerritos and vicinity in Los Angeles County. By letter to the Water Division dated May 24, 2005 on County Water Company letterhead, Myia Fraser states:

“Per our telephone conversation, this letter is notice that the City of Norwalk purchased the assets of County Water Company, Inc. through an eminent domain condemnation action.

“Enclosed for your files is a copy of the proposed Final Order of Condemnation. It is case No. BC 325907 with the Superior Court of the State of California, County of Los Angeles.

“The City of Norwalk took over the assets and began operating the water system on January 25, 2005. The shareholders were paid for their stock in April. As there is no set date for the final order, I’m in hopes that the enclosed will be sufficient for your records. Our office is no longer operating.”

### **DISCUSSION**

Clearly, the City of Norwalk now provides the public utility service formerly provided by County. Since County is no longer a water utility pursuant to Public Utilities Code Section 2701, revocation of its CPC&N is reasonable and necessary.

### **NOTICE**

No notice was supplied with the letter.

### **COMMENTS**

This is an uncontested matter subject to the public notice comment exclusion provided in the Public Utilities Code Section 311(g)(3).

### **FINDINGS**

1. County Water Company, (WTB 327), has been acquired by the City of Norwalk in a friendly condemnation proceeding.

2. County Water Company no longer provides water service to the public.
3. County Water Company no longer meets the definition of a Water Utility as provided in Section 2701 of the Public Utilities Code.
4. Revocation of the Certificate of Public Convenience and Necessity of County Water Company is reasonable.
5. County Water Company should be removed from the list of water companies regulated by this Commission.

**THEREFORE IT IS ORDERED THAT:**

1. County Water Company's Certificate of Public Convenience and Necessity is revoked.
2. All Commission records of the County Water Company shall be properly marked and disposed of or stored, as appropriate.
3. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on June 30, 2005; the following Commissioners voting favorably thereon:

---

STEVE LARSON  
Executive Director

MICHAEL R. PEEVEY  
President  
GEOFFREY F. BROWN  
SUSAN P. KENNEDY  
DIAN M. GRUENEICH  
Commissioners

Commissioner John A. Bohn, being  
necessarily absent, did not participate.